

Application Serial No.: 09/847,395  
Reply to Office Action dated December 15, 2003

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 7, and 11-19 are presently active in this case, Claims 1, 3, 7, and 11 having been amended and Claims 14-19 having been added by way of the present Amendment. Claims 2, 4-6, and 8-10 have been canceled without prejudice or disclaimer from the present application.

In the outstanding Official Action, Claims 1 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over the '615 Rehfeld patent (U.S. Patent No. 5,478,615). Claims 1, 7, and 12-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman et al. (U.S. Patent No. 5,908,704). For the reasons discussed below, the Applicants request the withdrawal of the obviousness rejections.

Claims 2, 3, 10, and 11 were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The subject matter of Claims 2 and 10 have been incorporated into Claims 1 and 7, respectively. However, the specific definitions of the reference critical energy value and the reference thickness from Claims 1 and 7 have been deleted therefrom and included in new Claims 14 and 16, respectively. Additionally, Claims 3 and 11 have been rewritten in independent form including the subject matter of base Claims 1 and 7, respectively, with the exception of the specific definitions of the reference critical energy value and the reference thickness from Claims 1 and 7. New Claims 15 and 17 depend from Claims 3 and 11, respectively, and include the specific definitions of the reference critical energy value and the reference

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thickness from Claims 1 and 7. The Applicants respectfully submit that Claims 1, 3, 7, and 11 are allowable over the references of record because they contain the allowable subject matter identified in the outstanding Official Action.

Claims 12-19 are considered allowable for the reasons advanced for Claims 1, 3, 7, and 11 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claims 1, 3, 7, and 11.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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